

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Juan Mantelle et al.
Title: TRANSDERMAL COMPOSITIONS
CONTAINING LOW MOLECULAR
WEIGHT DRUGS WHICH ARE LIQUID AT
ROOM TEMPERATURES
Appl. No.: 09/986,945
Filing Date: 11/13/2001
Examiner: Nabila G. Ebrahim
Art Unit: 1618
Confirmation Number: 6420

REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT
UNDER 37 C.F.R. §1.705

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request reconsideration of the Patent Term Adjustment (PTA) determined for the application.

The Patent Office determined that the application was entitled to 836 days of PTA. Applicant has calculated PTA for the captioned application, and has determined that the application is entitled to 1,152 days PTA, as shown on the attached sheet, which shows the relevant delays under 37 CFR §§1.702(a) and (b), and under 37 CFR §§1.703(a) and (b).

The attached sheet details the circumstances during the prosecution of the application resulting in PTA deductions under § 1.704.

(a) Total of non-overlapping PTO delay under §154(b)(1)(A) & (B): 1682 days
(b) Total Applicant delay: 530 days
Final PTA Determination: 1152 days

Applicant therefore respectfully requests that the patent be accorded 1152 days PTA, or more if it takes longer than 4 months for the patent to issue.

The application is not subject to a terminal disclaimer.

As this Request is being filed due to Patent Office errors, Applicant believes no fee is due with this Request. However, the Commissioner is authorized to charge any fees which may be due to Deposit Account No. 19-0741.

Respectfully submitted,

Date June 30, 2011

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By Courtenay C. Brinckerhoff

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Patent Term Adjustment Calculation System

Add a new event to this case

Docket Number: 041457-0633
Application Number: 09/986945
Patent Number: N/A

	Event Description	Event Date	Days from Filing	PTO Days	Applicant Days
Edit Delete	Application Filing Date	11/13/2001	0		
	14 month From Application date	01/13/2003	426		
Edit Delete	Non-Final Office Action	12/17/2003	764	338	
	Non-Final Office Action + 3 months	03/17/2004	855		
Edit Delete	Non-Final Office Action Rsp. Rcv'd at PTO	06/17/2004	947		92
	Non-Final Office Action Rsp. Rcv'd at PTO + 4 mo	10/17/2004	1,069		
	3 Year Period Starts	11/13/2004	1,096		
Edit Delete	IDS Rcv'd at PTO - No Statement under 1.704(d)	12/14/2004	1,127		180
Edit Delete	Final Office Action	04/04/2005	1,238	(169)	
	Final Office Action + 3 months	07/04/2005	1,329		
Edit Delete	Final Office Action Response Received at PTO	07/05/2005	1,330		
Edit Delete	Advisory Action	08/10/2005	1,366		
Edit Delete	Notice of Appeal Received at PTO	09/02/2005	1,389		60
	3 Year Period Stopped	03/13/2006	1,581	(485) 512	
Edit Delete	Request For Continued Examination (including amendment)	03/14/2006	1,582		
Edit Delete	Non-Final Office Action	06/07/2006	1,667		
	Non-Final Office Action + 3 months	09/07/2006	1,759		
Edit Delete	Non-Final Office Action Rsp. Rcv'd at PTO	12/07/2006	1,850		91
Edit Delete	Final Office Action	03/13/2007	1,946		
	Final Office Action + 3 months	06/13/2007	2,038		
Edit Delete	Final Office Action Response Received at PTO	06/29/2007	2,054		
Edit Delete	Advisory Action	07/19/2007	2,074		
Edit Delete	Request For Continued Examination (including amendment)	07/30/2007	2,085		47
Edit Delete	Non-Final Office Action	10/18/2007	2,165		
	Non-Final Office Action + 3 months	01/18/2008	2,257		
Edit Delete	Non-Final Office Action Rsp. Rcv'd at PTO	03/18/2008	2,317		60

Edit Delete	Final Office Action	07/10/2008	2,431		
Edit Delete	Notice of Appeal Received at PTO	10/10/2008	2,523		
	Appellate review by the Board of Patent Appeals and Interferences Commences	10/10/2008	2,523		
Edit Delete	Appeal Brief Received at PTO	12/08/2008	2,582		
	Appeal Brief Filed + 4 months	04/08/2009	2,703		
Edit Delete	Examiner's Answer Mailed	05/05/2009	2,730	(27)	
Edit Delete	Appeal Decided by Appeal Board; Some Rejections Reversed	01/19/2011	3,354	832	
Edit Delete	Notice of Allowance	04/07/2011	3,432		
	Projected Patent Grant Date	10/18/2011	3,626		
		Totals:	1,682		530
		PTA:	1,152		